

PUBLIC NOTICE

Draft Hazardous Waste Permit
Modification of the Denver Arapahoe
Chemical Waste Processing Facility
(DACWPF)



COLORADO

**Hazardous Materials
& Waste Management Division**

Department of Public Health & Environment

The Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division is issuing a draft modification to Hazardous Waste Permit No. CO-20-04-21-01 for public review and comment.

Public comment period: Dec 3, 2020 through Jan 19, 2021

Written comments should be directed to:

Richard Mruz, Project Manager
HMWMD – B2
4300 Cherry Creek Drive South
Denver, CO 80246

richard.mruz@state.co.us

Inquiries regarding this facility and requests to be put on the mailing list should be directed to:

Jeannine Natterman, Public Involvement Coordinator at 303-692-3303

or by email at jeannine.natterman@state.co.us.

The draft hazardous waste permit modification and supporting documents are available for review on our website: <https://cdphe.colorado.gov/HMWMD-public-notice>

The Colorado Department of Public Health and Environment, Hazardous Materials and Waste Management Division (the Division) has determined that the current permit, issued to Waste Management's Denver Arapahoe Chemical Waste Processing Facility (DACWPF) on April 21, 2020 does not meet the requirements of 6 CCR 1007-3, Section 264.90-101 (Subpart F of Part 264, Standards for Owners and Operators of Hazardous Waste Treatment, Storage, and Disposal Facilities) and must be modified in order to prevent harm to the environment. Part IV (Groundwater Protection Program) of the current permit is the main focus of this modification.

- The Environmental Protection Agency has provided technical comments on DACWPF's current permit. As a result of this new information, the Division has concluded that the current permit does not establish a groundwater monitoring program which meets the requirements of 6 CCR 1007-3, Subpart F (Groundwater Protection Program).
- Because the current permit is inconsistent with Colorado Hazardous Waste Act regulations, the Division has determined that the permitted activity endangers the environment and can only be regulated to acceptable levels by modifying the permit.

Chemical Waste Management, Inc. operated the Denver Arapahoe Chemical Waste Processing Facility from August 1980 through July 1982. A reconstructed disposal cell was created to dispose of hazardous waste and will be governed by this post-closure permit renewal. Waste Management of Colorado, Inc. owns the land and is responsible for the post-closure care of the disposal cell. The first permit was issued in November 1989 to manage waste on the property. The facility has been in post-closure care for approximately twenty years and this permit will be the second time it has been renewed.

PROCEDURES FOR REACHING A FINAL DECISION: The public is obligated to raise all reasonably ascertainable issues regarding any condition in the draft permit modification during the public comment period as required by 6 CCR 1007-3, Section 100.509. In accordance with 6 CCR 1007-3, Section 100.61, only those portions of the permit subject to the modification are reopened for public comment. **FAILURE TO RAISE AN ISSUE OR PROVIDE INFORMATION DURING THE PUBLIC COMMENT PERIOD MAY PREVENT YOU FROM RAISING THAT ISSUE OR SUBMITTING SUCH INFORMATION IN AN APPEAL OF THE DEPARTMENT'S FINAL DECISION. ONLY MATTERS RAISED DURING THE PUBLIC COMMENT PERIOD MAY BE CONTESTED IN ANY APPEAL OF THE PERMIT (SECTION 6 CCR 1007-3, SECTION 100.506 (D)(1)(VI)).**

The Division will consider all comments on the draft permit prior to making a final decision on it. Following the public comment period, the Division will issue a final decision and a response to comments in accordance with 6 CCR 1007-3, Sections 100.511-512.